

~~PROPOSED~~ ORDER/COVER SHEET

TO: The Honorable Wayne D. Brazil
U.S. Magistrate Court Judge

FILED

RE: Maurice Coleman

JAN 18 2008

FROM: Claudette M. Silvera, Chief
U.S. Pretrial Services Officer

DOCKET NO.: CR-07-00284 MJJ

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

DATE: January 18, 2008

THE ATTACHED MEMORANDUM WAS PREPARED BY PRETRIAL SERVICES OFFICER:

Victoria Gibson
U.S. Pretrial Officer Specialist

510-637-3752
TELEPHONE NUMBER

RE: VIOLATION/INFORMATION

We are requesting direction from the Court. Please initial the appropriate box(es), and return this form to us so that we may comply with your instructions.

- ☐ I have reviewed the information that you have supplied. I do not believe that this matter requires any action by this Court at this time.
- ☐ Inform all parties concerned that I will conduct a Bail Review Hearing in Courtroom No. _____ on _____ at _____.
- ☐ Inform all parties concerned that a Bail Review Hearing will be conducted by:
Magistrate Judge _____ Presiding District Court
Judge _____
- ☐ I agree with the recommendation of the Pretrial Services Officer and hereby modify the defendant's Pretrial Release conditions as indicated below:



Order(s)

A. The defendant shall be allowed to travel to Reno, Nevada, to address any outstanding warrant, with the prior approval of Pretrial Services.

B.

- ☐ Bail Revoked/Bench Warrant Issued.
- ☐ I am returning the signed order and direct that a copy be provided to the Court file and all interested parties(AUSA and Defense Counsel).
- ☐ Other Instructions:

Wayne D. Brazil
JUDICIAL OFFICER

1/18/08
DATE

Cover Sheet (12/03/02)

my cc: WDB's Staff, Copy to parties via ECF,
Monica Narcisse, Pretrial, Financial

To: Honorable Wayne D. Brazil
U.S. Magistrate Judge

From: Victoria Gibson
U.S. Pretrial Services Specialist

Subject: USA v. Maurice Coleman
CR-4-07-00284 MJJ

Date: January 18, 2008



MEMORANDUM

Your Honor:

On December 10, 2008, a bail review hearing was conducted by Your Honor. The above-referenced defendant requested a modification of his release conditions to allow him to leave Cornell Corrections to reside with his significant other in Reno, Nevada. Your Honor denied this request, but ordered that the defendant be allowed to visit Reno, Nevada, for two weeks over the Christmas and New Year's holidays. Mr. Coleman visited Reno from December 21, 2007, to January 3, 2008.

On January 10, 2008, this officer met with the defendant at Cornell Corrections in San Francisco. Toward the end of this meeting, this officer asked whether the defendant had any law enforcement contact while he was in Reno. He indicated that he had been pulled over (date unknown) and searched. He stated that he was driving his girlfriend's vehicle (Lily LaCuesta) and her ex-husband is wanted by law enforcement. Mr. Coleman informed that the officers stopped the vehicle, mistaking him for this other individual. He was reportedly ordered out of the vehicle, searched, and informed that there was an outstanding traffic warrant in his name. Officers reportedly did not take him into custody, but they did direct him to take care of the warrant.

This officer asked why the defendant had not contacted Pretrial Services when this occurred and why, upon becoming aware of the issue, he had not taken care of the warrant (while he was in Reno). He indicated that he "did not want to go to jail" and that he did not know he was supposed to contact Pretrial Services. The defendant was verbally admonished by this officer. He was reminded that he signed Pretrial Release Reporting Instructions forms on at least three occasions during the course of his pretrial supervision, most recently on December 10, 2007; these forms reiterate the defendant's release conditions, state his reporting requirements, and instruct him to contact Pretrial Services within 24 hours of any new law enforcement contact.

Pretrial Services ran a national records check, but we did not find evidence of any outstanding warrant. As such, we requested a local check by the District of Nevada. The undersigned was informed that the District of Nevada ran local records, including Department of Motor Vehicles and Highway Patrol records, and there were no warrants outstanding. The defendant provided this officer with a case number. He explained that the warrant stems from a speeding ticket he previously made arrangements with the court to pay.

MEMORANDUM TO THE HONORABLE WAYNE D. BRAZIL, U.S. MAGISTRATE JUDGE
RE: COLEMAN, MAURICE
PAGE 3

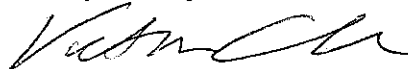
DOCKET: CR-07-00284 MJJ

Assistant Public Defender Joyce Leavitt and Assistant U.S. Attorney Brian Whitaker have been made aware of this situation. Once Pretrial Services can confirm the warrant, Mr. Coleman will need the Court's permission to travel to Reno, Nevada, again. As such, we request that the defendant's release conditions be modified to allow Pretrial Services to approve travel to Reno, Nevada, as needed for purposes of addressing the outstanding warrant.

We are concerned with the defendant's failure to report law enforcement contact. Should the defendant fail to report further law enforcement contact to Pretrial Services within 24 hours, we will request action be taken by the Court.

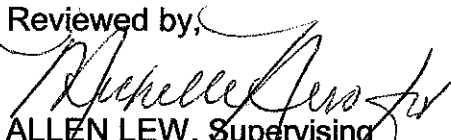
This memorandum is submitted for Your Honor's information and direction.

Respectfully Submitted,



VICTORIA GIBSON
U.S. Pretrial Services Specialist

Reviewed by,



ALLEN LEW, Supervising
U.S. Pretrial Service Officer

cc: Bryan Whitaker, AUSA
Joyce Leavitt, AFPD